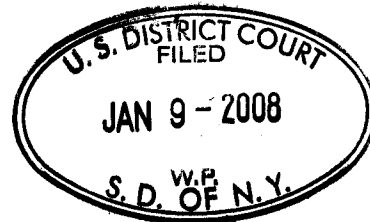


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA :

- V - :

RENE J. GARCIA, JR., :

Defendant. :

AFFIRMATION FOR WRIT OF  
HABEAS CORPUS AD  
PROSEQUENDUM

07 Cr. 1173

STATE OF NEW YORK )  
COUNTY OF WESTCHESTER :  
SOUTHERN DISTRICT OF NEW YORK )

ss.:

NOLA B. HELLER, being duly sworn, deposes and says that she is an Assistant United States Attorney for the United States Attorney's Office in the Southern District of New York; that one "RENE J. GARCIA, JR." (NYSID: 05325933Z), is now incarcerated at the Westchester County Jail, Valhalla, New York.

WHEREFORE, your deponent respectfully prays that a writ of habeas corpus ad prosequendum be issued directing the Westchester County Jail, Valhalla, New York to release the defendant into the custody of the United States Marshals for the Southern District of New York on Thursday, January 10, 2008 at 9:00 in the forenoon for an arraignment on an indictment before Magistrate Judge George A. Yanthis, and to return him to Westchester County Jail only when the writ has been satisfied.

I declare under penalty of perjury that the foregoing is true and correct.

  
NOLA B. HELLER

Assistant United States Attorney

January 9, 2008